

Women in the Legal Profession

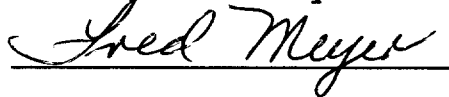
An Honors Thesis (HONRS 499)

by

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A handwritten signature in cursive script that reads "Fred Meyer". The signature is written in dark ink and is positioned above a horizontal line.

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INTRODUCTION

When U.S. Supreme Court Justice Sandra Day O'Connor graduated with honors from Stanford Law School, only one large California firm would offer her a job and that was as a stenographer. When Democratic Vice Presidential candidate Geraldine Ferraro graduated with honors from Fordham Law School, she survived four grueling interviews with a Wall Street firm only to be told on the fifth and final interview: "We're sorry but we're not hiring any women this year." When U.S. Secretary of Transportation Elizabeth Dole attended Harvard Law School, a favorite joke among her classmates was: "Question: What's the difference between a female law student and garbage? Answer: At least the garbage gets taken out. (Morello, 94)

These superwomen faced discrimination that is common against women in the legal profession. What separates them from the rest is that they beat the odds and achieved the level of success enjoyed by their male counterparts. In this thesis I will examine the problems women face in this male dominated profession, the reasons behind them and what, if anything is being done to amend the situation. I have a personal interest in this topic because I am planning on going to law school and entering the legal profession. I would like to gain a deeper understanding of my place in the profession and what obstacles I might face.

PROBLEMS AND CAUSES

Few women lawyers found a warm greeting in their chosen profession when they sought their first jobs in the years before the 1970's. Even afterward, the experience of many women was far from what they had hoped. Unlike outstanding male law school graduates, women with excellent records were not sought after by firms that professed to be on the lookout for talent or even by firms that could not always bargain for the best. What is the reasoning behind this? The problem goes beyond the boundaries of the legal profession. It lies in our history, our culture and our socialization patterns.

The rebirth of an American Feminist movement in the 1960's witnessed a broad array of legislative, administrative and judicial mandates against gender discrimination. For example, the Equal Pay Act of 1963 required that men and women performing equal work in the same establishment under similar conditions must receive the same pay if their jobs require equal skill, equal effort and equal responsibility. (Kirby, 41) All of these conditions must be met for the equal pay standard to be applicable. Whether women didn't pursue the problem or whether the conditions of the law were too ambiguous, this legislation seemed to have little effect on the statistics. In 1939, American women's average earnings were 63 cents for every dollar earned by men. In 1988, women were only earning 65 cents for every dollar earned by men. (Fuller, 965)

Title VII of the Civil Rights Act of 1964 was the largest piece of legislation prohibiting sex discrimination in the workplace. It prohibits discrimination on the basis of sex in all facets of employment including hiring, firing, compensation and other terms, conditions and privileges. This act led to a great influx of women into all professions, including law. (Kirby, 74) However, it too was not a guaranteed solution. A pilot study in 1970 of sex-based discrimination in the legal profession by the Women's Rights group at New York University Law school revealed unfair practices. Six years after Title VII, the NYU group's survey records actual discriminatory remarks made by some of the nation's lawyers to women applying for a job. They included such comments as: "We don't like to hire women.", "We don't expect the same kind of work from women as we do from men." and "Women don't become partners here." The study also reported that the actual personnel practices of these firms matched the attitudes expressed at the interviews. For example, there was no promotion of women to partnership or top administrative levels and they were excluded from policy-making boards and committees. (Morello, 210) Obviously, this legislation did not have its desired affect, at least not in the first decade after its implementation. Women in the 1990's now have more opportunities than ever before in history but certain obstacles persist. Law has played a critical role in breaking barriers to entry for those seeking nontraditional employment but most occupations have remained highly gender segregated. The legal profession is no exception. Although women have entered in

significant numbers, they have tended to cluster at the lowest levels. Even in gender integrated occupations, men and women generally have held different pay and promotion opportunities. Despite significant trends toward greater integration, most projections suggest that at current rates of change it would take between 50 and 100 years to achieve a sexually balanced workplace. (Rhode, 161)

A common theory states that gender differences in earnings and occupational status are largely attributable to differences in career investments. In essence, the assumption is that women seek to balance work and family commitments by selecting female dominated occupations that tend not to require extended training, long hours, inflexible schedules or skills that deteriorate with absence. Under this theory, the problem of women's inequality in the profession lies in the choices women themselves make. At the turn of the century, Charlotte Perkins Gilman warned against making assumptions about the kinds of work men and women would freely choose until generation after generation could grow up under equal conditions. (Rhode, 165) American society remains a considerable distance from that ideal and occupational choices have been greatly influenced by cultural expectations. At early ages, children begin absorbing cues about appropriate sex role traits and occupations. In 1932, Swiss psychologist Jean Piaget observed that childhood games offer a window for understanding the moral development of children. He noted marked gender differences, especially regarding how children relate to game rules. Boys stick to the rules,

resorting only to "legal elaborations" whereas girls emphasize harmony and continually invent new rules to suit their play. Of girls' attitudes towards rules Piaget wrote: "A rule is good so long as the game repays it." When faced with an argument over the rules, girls end the game, and start over or find something else to do. Boys argue their way through the dispute with continual reference to the rules of the game. Girls seek to preserve the relationship of the players, while boys maintain the rules. Taking boys as the standard Piaget judges girls as follows: "The most superficial observation is sufficient to show that in the main, the legal sense is far less developed in little girls than in little boys." (Jack, 131) Recent work confirms that at an early age girls and boys react differently. Girls choose smaller play groups whose interactions are based on shared confidences. By comparison, boys' groups are larger and tend to center on some competitive, goal-directed activity with clear rules and winners and losers. Boys learn to "depersonalize the attack", to enter adversary relationships with friends and cooperate with people they don't like. From early childhood then, our culture prepares females and males for different roles. For boys, pre law training begins almost from birth--in the home, on playing fields and in relation to peer groups. Parents and coaches regularly tell boys that sports build character, teach respect for the rules, engender a healthy sense of competition and generally prepare them for life in a depersonalized, adversarial society. Some might also add that competitive sports supply the first stage of pre law training.

(Jack, 132) Until recently, relatively few girls got this same message or childhood practice for skills useful in the lawyer game. Although these generalizations have many exceptions, they nonetheless describe patterns deeply rooted in the history of our culture. Individuals who have deviated from traditional norms in job selection usually have received less social approval than those who have not. Women have long been conditioned to think that they should serve on lower rungs of the occupational ladder than men. These socialization processes are further reinforced by the mismatch between characteristics associated with femininity and those associated with vocational achievement. Interestingly, certain qualities which are desirable in male lawyers are often considered undesirable in female lawyers. This point will be addressed in more depth later in the thesis. Clarence Darrow expressed his opinion on gender qualities some years ago to a group of women lawyers. He states: "You can't be shining lights at the bar because you are too kind. You can never be corporate lawyers because you are not cold blooded. You have not a high grade of intellect. You can never expect to get the fees men get. I doubt if you even make a living." (Splaver, 32)

Women have been able to make a living in the profession. Despite great progress however, women still have a long way to go to be accepted as equal. The legal profession, like other occupations, divided candidates on sex lines. Certain "specialties" in law were considered appropriate for women. In the earlier days, women clustered in areas such as matrimonial law,

real estate, general practice and trusts and estates. Women rarely argued a case in court and much of their criminal work consisted of cases handled under Legal Aid assignments. A male associate in one firm described one woman's situation as a member of the litigation department: "She was not permitted to engage in an active role. She was of the typical mold in that she is very bright and they put her in a position where she could work on theoretical and antitrust stuff without ever being an actual litigator. People consulted her on any interesting, or even not so interesting antitrust problems that came up, but she could not do more. She would always be on the shelf, a resource." (Epstein, 103) Many women in firms faced similar problems. They were treated like law students on summer internships. They did research and brief writing but were not allowed to take an active role. Although this clustering is most often viewed as negative, there were and are distinct advantages for women practicing in certain specialties. According to Cynthia Epstein, there is a certain congruity in the ways in which women have been structured in the legal profession and the ways they are structured in society. When a woman entered an appropriately feminine law specialty, she was reducing the strain generated by her involvement in a male profession, making life easier for both herself and the system. Further, she avoided the antagonism of male colleagues that would result from her presence in a male specialty of the profession. In a female specialty, women were at least conforming to the profession's definitions of where a woman lawyer ought to be. In

the outside world, the female lawyer in general was an oddity. Within the profession, the female who did corporate finance was an oddity, but the woman who became a law librarian or a specialist in trusts and estates was engaging in an entirely appropriate activity. Other lawyers could live with that. Thus, role conflict in the profession was minimized by adherence to cultural definitions. (Epstein, 109) Aware of the sex-typing of the past, younger women going into law were alert to the dangers of being pushed into "appropriate specialties." In large firms they demanded and got assignments in corporate work and litigation. However, while less "typing" occurs, there is still patterning. In the past, many employers did not want women in their offices at all. Women made them uncomfortable. Some employers felt women would cost them clients and money. Law firms also thought women would not be competent to handle the rough and tumble of negotiation. At times, clients attitudes were such that few firms would risk assigning a woman to work with them. This too is changing rapidly. Women are now found in all areas of law. However as mentioned previously they tend to cluster at the lowest levels. A recent American Bar Association survey revealed that women earned an average of \$57,600 in 1989 whereas men earned an average of \$132,900. (Futter, 965) At the same time, the number of women who go on to make partner in law firms fails to keep pace either with the number of female associates hired or with their male counterparts. Women today constitute only 6% of the nation's law firms partners. Even those who do make partner are frequently

excluded from their firm's executive or management committees.

Partnership is often the yardstick by which success in the legal profession is measured. Therefore, despite strides, the small percentage of female partners is disheartening. Though women now make up 50% of many law school classes, the ratio of women partners is increasing by only 1% a year. (Miller, 34) Whether sexist or just used to how things have been, men often have a hard time acknowledging competence in a woman. Louise LaMothe has been practicing law for 15 years and is a litigation partner in a Los Angeles firm. She says: "For women lawyers, there is no presumption by others that we are competent professionals. We are assumed to be incompetent until we are proven competent. This is an effort. After 15 years I resent having to prove my competence over and over again." (Blodgett, 49) Women not only have to be better than men to make partners, say leading women lawyers, but they are judged by different standards. A woman's personality is invariably discussed. However, when a man comes up for partnership, unless he has an extraordinarily difficult personality, it does not even get a mention. Thus, a female associate must not only have ability, her "style" must instill confidence in her superiors. She needs to be able to present herself as a highly competent lawyer and inevitable future partner without seeming overpowering or self-righteous. On the other hand she cannot appear defensive, insecure or humorless. (Miller, 36) The range of emotions available to women lawyers is limited. If a woman lawyer begins to argue or attempts to use drama it may seem

that the woman is becoming too emotional or agitated. On the other hand, trying to avoid the the sexual stereotype of an emotional woman is dangerous as well. If a woman tries to be unemotional, she may be accused of being hard or unfeminine. Women need to select and maintain a professional demeanor that does not offend yet does not have room for warmth to be mistaken for sexual overture. This is not an easy task. Women are required to walk a very thin line. One solution many women have attempted is to in fact destroy "feminine" characteristics. A male partner in one firm advises: "Don't think of yourself or allow anyone else to think of you as anything but a hard-driving, capable lawyer. The safest way to success is emulation of males, even to the extent of learning to speak louder and lower and actively becoming an intimidator." (Jack, 133) Women entering the law are forced to separate themselves from the disliked characteristics of their sex and align with the culture against feminine attributes within themselves. For many women, this results in internal tension. They define themselves as feminine yet try to deny within themselves the stereotype that discounts them in the legal world. It doesn't seem fair that sexual stereotypes should prohibit competent individuals from entering a profession or from reaching the higher levels of that profession once they are admitted.

LEGAL ACTION

Many women felt this discrimination was wrong and attempted

to amend the situation. Several women took legal action against the firms themselves. Diane Blank for example played a key role in exposing discriminatory practices in the legal profession. The foundation for her case against Sullivan and Cromwell was laid in the fall of 1969. It was Blank's second year of law school at New York University and the big firms were interviewing on campus. The women students pooled experiences and discovered the elite firms were not giving them a fair chance. Several of the women complained to the placement office, which called the firm and insisted they talk to women as well. The firm consented and conducted several interviews with women. However, the women selected claimed the interviews were "outrageous." They reported that the hiring partners had implied women were no good at litigation. After this experience, Blank says several NYU women met with law students at Columbia and pledged to report on their next year's experiences with the interviewers. They did this, collecting evidence of a pervasive pattern of discrimination. Columbia had in the meantime set up its Employment Rights Project. Complaints were filed against ten firms on behalf of all women law students in New York, with the New York City Human Rights Commission. Diane Blank's interview with Sullivan and Cromwell was one of the two chosen by the project to proceed on and it formed the basis of her case against them. The Sullivan and Cromwell interviewer had admitted to Blank that the firm was biased. For example, women were put into "blue sky work." This is a specialty concerned with keeping up on changes in the securities law of each

of the fifty states. Lawyers in blue sky work are not usually in direct contact with corporate clients. It is not considered a creative position. Much of it is tedious, repetitive work of almost a clerical nature. He also discouraged her interest in the firm, telling her that some of his partners were prejudiced against women. Diane Blank had worked as a summer intern, was the editor in chief of a specialty journal and had an impressive two page resume. The interviewer did not even bother to look at it. Instead he asked her about her lawyer-husband's career. Hardly a line of questioning that would reveal her qualifications for the position. (Epstein, 185)

The case against Sullivan and Cromwell was enlarged to challenge the firm's system of evaluating associates for promotion. The case was assigned to Justice Constance Baker Motley, a black and the only female on the federal bench at this time. Her name had been selected at random from a drum. Sullivan and Cromwell asked her to remove herself from the case on the basis of her sex. Since she was a woman, they felt she could not fairly decide the case. She refused to withdraw and they entered a formal order to have her removed. An appeals court denied the request. Motley declared the case a class action suit. Sullivan and Cromwell pleaded entrapment suggesting that Blank was never serious about working there. But they settled after they were questioned about their partner's earnings and other matters firms hate to make public. The settlement even included a provision not to hold firm-sponsored events at clubs that barred women as well as a formula

including a guarantee that the firm would offer a percentage of its positions to female graduates. (Epstein, 186) The final result of this case seemed like a victory for future female lawyers. However, even legal mandates cannot solve all the problems women face. David Margolik studied Sullivan and Cromwell as typical of the problems women encounter in Wall Street firms. He found the nature of the complaints was different from those made before the firm settled Blank's discrimination suit against them. Allegations now focused on the subtle problems that arise from women's perceptions that the firm is inhospitable rather than discriminatory. Sullivan and Cromwell still had no women partners in 1980. A young woman associate who had recently left the firm to join another said many women in her class were leaving because they felt they had no chance of promotion. (Epstein, 214) Even though they had won the right to be considered and hired by the firm, they had not been legally guaranteed the right to equal treatment within the firm. Employment does not necessarily mean acceptance. Women were being overlooked when it came time to promote associates to partnership. One woman decided to challenge this less overt form of discrimination in the courts. Elizabeth Hishon sued her employer King and Spaulding, claiming that she was not chosen for partner because she was female. In this case, the U.S. Supreme Court ruled that Title VII of the Civil Rights Act prohibits a law firm from denying partnership status to an associate on the basis of sex. In 1972, Elizabeth Anderson Hishon was hired as an associate at Atlanta's King and Spaulding, one of

the South's most well known law firms. There were only two other women to have been employed by King and Spaulding prior to Hishon's hiring. Anita Mulkey was taken on as a "permanent associate" in 1944, meaning it was understood that there was no chance for promotion to partner. The other was Mary Ann Sears who was hired in the mid 1960's to work on a special project. In the seven years that Hishon was employed, she claimed she always received favorable evaluations from her superiors. She was assured that she was at the top of her class of associates and had every reason to be optimistic about her chances for making partner. But when the partnership decisions were made, Elizabeth Hishon was twice passed over for consideration. (Morello, 215) Under the "up or out" rule that exists at most major law firms, Hishon had no choice but to leave the firm. Her next move was to file a discrimination complaint against King and Spaulding with the Equal Employment Opportunity Commission and to file a suit in federal court in Atlanta claiming that the firm used unexpressed and discriminatory factors in making the decision to pass her over for partner and that she had never been judged on the actual quality of her work as male associates had been. King and Spaulding disputed Hishon's right to sue. In the first round at federal district court, Judge Newell Edenfield agreed with the law firm. Hishon appealed to the U.S. Court of Appeals but it too agreed that partnership decisions did not come within the scope of the Civil Rights Act. Hishon and her lawyer, joined by the U.S. Justice Department, petitioned the U.S. Supreme Court for a writ of certiorari. The petition was

granted and in October 1983, lawyers for both sides presented their arguments. In May 1984, the U.S. Supreme Court ruling on the Hishon case was that professional partnerships do come under the federal anti-discrimination laws. (Morello, 216) A trial never took place. Shortly after the ruling, Hishon and King and Spaulding reached an out of court settlement. Many women's groups applauded the decision. However, some women lawyers expressed the view that it would bring little change. One Wall Street associate said, "I suspect we will see a few more women making partner. But I'm afraid the real result of Hishon may just be that firms will keep a more careful watch on their women associates--not in an effort to promote them but to better justify their decisions not to make these women partners." She seems to have been correct. If you walk into any well established law firm, you will still find as you would have almost a generation ago, that the majority of partners are white males from a middle or upper middle class background. Women are there, but they still have not been promoted proportionately with males.

REMEDIES???

The reason behind this disproportionate climb lies not in the lack of qualified women, but rather in the structure of the profession. Judge Kaye notes the irony that as more women enter the profession, the rules have changed. The required billable hours have escalated so it has become physically impossible to

participate in a large firm while taking responsibility for the care of others be they children, parents, spouse or friends. (Bender, 942) In our society, the true professional's involvement with work is measured in the long hours he or she puts in. It is often believed that women cannot be as truly professional as men because they do not, or cannot put in the same hours of work. However, many people fail to take into consideration the tremendous demands that are placed on women to maintain their care-giving role while balancing a career. Some women find that the strain of a legal career is too much to handle along with everything else that is expected of them. Rather than losing the talent of many of these women lawyers whom they have already trained, some big firms have begun to accomodate women with family responsibilities by permitting them more manageable schedules in light of their other responsibilities.

One of the ways in which employers have responded to the needs of their female lawyers concerns the area of maternity leave. Employers approaches toward the idea have improved dramatically. State bars are getting involved as well. The Maine State Bar Association in May of 1986 became the first state bar to take a stand on the issue of child care leave. After months of controversy, the bar's board of governors recommended the adoption of written child care leave policies by all private and public sector employers in the legal profession. (Graham, 55) The advent of formalized, written child care leave policies makes it easier for lawyer-mothers to take time off. This solution is not cure-

all however. Judge Kaye worries about the consequences involved in enabling women to take these career options that are often referred to as the "mommy track". She feels firms may use those choices to legitimate glass ceiling barriers to promotion, salary and prestige creating a new substratum largely populated by women. The addition of a "mommy track" does not end gender inequality in the workplace. It is an exception to the "normal" work style; a less valued, genderized woman track. This approach fails to consider the power aspect of gender norms and looks only to accomodate differences. Women who are care-givers and spend time out of the wage force are subordinated and undervalued because of it. (Bender, 944) Nonetheless, it is an option which did not exist for women before. Some women, because of the negativity associated with the "mommy track", are putting off or simply choosing not to have a family. "A lot of women are delaying having children because they want to make partner and are concerned that childbearing will hurt their chances," says Linda Marks, a project director at New Ways to Work, a work resource and research group in San Francisco. (Graham, 55) A recent survey co-sponsored by New Ways to work shows that many women attorneys have not taken advantage of the existing opportunities to take leaves that extend beyond the period of pregnancy disability. Respondents to the survey, which covered some 400 legal employers, reported 172 cases of attorneys taking "maternity leaves", but only 48 instances of attorneys taking "child care leaves" to which they were entitled. The most common reasons give for failure to take the full amount

of leave permitted were financial and pressure, whether actual or perceived, from the employer to return to work. (Graham, 55) The message seems to be that a macho attitude toward motherhood still exists in the profession. Firms may offer leaves as a matter of policy, but they still subtly point to the example of more senior women who have not had children or who proved their dedication by quickly returning to work after becoming mothers. A fairly prevalent attitude, whether expressed or not is that you can't be a good mother and a good lawyer.

For many women, the solution to this dilemma is to work part time. This arrangement would have been unthinkable as recently as five years ago. A short time ago nobody wanted to discuss part time work including women lawyers who were afraid to bring it up because they needed to be looked upon just like all the other attorneys. The situation today is radically different. Many bar groups, including the American Bar Association, have begun to pay attention to the issue of part time work. More firms have become flexible about part time schedules. The idea is spreading mostly because the big firms realize that if they don't give part time to their women attorneys, they'll lose them. But part time work has been a discouraging experience for many women lawyers who have tried it. Judith Epstein worked part time at a firm in Oakland, CA before becoming a partner there in 1985. Epstein feels part time work can substantially slow advancement or affect the way in which the lawyer is perceived. She claims firms may say on the record that working part time won't affect one's chances for

partner, but they don't really mean it. (Graham, 56) One Chicago firm has gone so far as to require part timers to pay overhead costs attributable to their non-working hours. In other cases, part timers have been paid for fewer hours than they've actually worked. Epstein for one reports that when she was a part timer, she worked significantly more hours than the 75% for which she was paid. The firm recognized her effort and offered to adjust wages, which she refused. Epstein called it a "real common phenomenon" for part timers to work more than their share. Women are so anxious to be able to participate in the profession at a high level and in a decent environment that they are willing to take this kind of inequitable compensation agreement. (Graham, 56) This example holds true to a pattern that is prevalent in the legal profession. Women are bending over backwards to conform to the profession's constraints.

The profession is constraining because it is made up of male dominated ideals. Richard Abel sums up the situation, stating: "It seems to be true almost universally that once the legal and sociocultural barriers were removed against women lawyers, they entered the profession in numbers approximating those of men. Yet once they leave the arena of formal education and examination, they once again encounter prejudice and role conflict. The result is that qualified women lawyers fail to enter practice, leave early or accept less attractive positions." (Mossman, 588) These forms of inequality will not change until there is a change in the sexual division of labor.

Rosabeth Moss Kanter has written extensively on the structural constraints within an organization which systematically excludes from promotion and advancement all those who are not "like" existing leaders in the organization. In her major study of organizational structure of a large American corporation in the 1970's, she found a number of features similar to those of a modern law firm. For example, in her study of managerial roles in the corporation, she characterized tasks to be performed on the basis of whether they were routine or whether they required the exercise of discretion. She discovered that wherever decision making was required, the organizational response was to ensure homogeneity of personnel in order to eliminate one aspect of uncertainty. In other words, the corporate response to discretionary decision making was to choose new senior managers who were most like existing managers. Thus, the more closed the circle, the more difficult it was for outsiders to break in. (Mossman, 589) The legal profession has long been successful in maintaining cohesion. It does so by welcoming ins and repelling outs. Women have been defined as outsiders and the response to maintain homogeneity is working against them. If the profession continues to view women as different, it will make it very difficult for them to break into the closed circle and achieve success.

Moss Kanter also examined the idea of power in the corporation and its effect on men and women. She documented the expressed preferences of both men and women employees to work for male managers rather than for female ones, because male managers were

more readily perceived to be part of the power structure of the organization. This structural barrier affects women's ability to achieve leadership roles within the organization. Our society does not expect women to express dominance, particularly in situations where women are required to interact with men in order to accomplish specified goals. Moreover, if women feel reluctant about expressing themselves as leaders, the assumption that women are incapable of effective leadership within an organization will be enforced. (Mossman, 594) I feel that this is a very serious problem. Women are conditioned from early on to be subordinate to men. It is not "proper" for a woman to be too aggressive or too forceful in presenting her ideas. Men have always held the powerful positions in society and the workplace. Granted structural barriers exist, but I think a deeper problem lies in women's failure to challenge them.

Leslie Bender emphasizes that women ought not be satisfied with being allowed into male created law firm practices and playing by their rules, or with being given less empowered, less prestigious options. The elimination of sex discrimination is not enough. Laws already exist to provide us with equal opportunity. Admission is no longer a problem; acceptance is. Bender stresses that women need to demand gender equality. Obviously, society recognizes two gender cultures, one for women and one for men. Each has its own accepted customs, norm, practices and behaviors. Women, as previously mentioned are socialized to be more relational, caring and responsive to others needs than are men.

However, the patriarchal structure of our society uses male gender norms and privileges male gender attributes. Female gender norms are not highly valued in our culture. Gender differences alone though do not cause gender inequality. Rather, gender inequality is gender difference translated into hierarchical power relations in which one gender is favored over another. (Bender, 949) Therefore, so long as men have the power to name, describe, construct and continue our cultural institutions, women will share an experience of gendered inequality.

Although women have succeeded in entering the professional world and sharing it with men, we have not succeeded in shedding our primary responsibility for caregiving and in sharing that role with men. Women's entrance into the profession also has not succeeded in bringing the female gender culture into accepted facets of the professional culture. Even though we add more women to the quotient of person's doing the job, women who demonstrated aspects of the gendered woman's culture were discouraged, badly evaluated and seen as unfit. This is what Bender refers to as the infamous "add women and stir" model of reform. We add members of the female gender to the profession, but we do not add acceptance of gender differences. As previously mentioned, the options offered to female lawyers such as child care leave and part time work, cause them to be subordinated or undervalued within the profession. Those women who can make themselves act and think most like the gendered male culture succeed. Getting inside the law firm is a start, but if the only women who succeed and achieve the

power to change the institution are the women who are most like men, then gender inequality in the profession will continue.

CONCLUSION

There has been a change from the virtual exclusion of women from the legal profession to their entry into even the most prestigious and elite areas of law. But it is one thing to be employed and even paid well and another to be a true working partner in the legal community. While most men can make their lives as lawyers mesh with their personal lives, few women can escape contradictory pressures and expectations within the profession and their lives outside it. As in the past, women's future position in the legal world will not depend solely on women's own ambitions, interests or legal abilities, but on how receptive others may be to these characteristics. It will depend on the disappearance of stereotypes that define women as unlikely professional partners. In the past decade, men have relaxed their hold on the legal profession permitting women to enter, but they have not released their hold. The barriers once impenetrable can now be broken through. However, for women who strive to be at the top, the climb is not easy one.

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